

WILLIAM E. MILLER, ESQ.
STERN & EISENBERG, PC
1040 N. KINGS HIGHWAY, SUITE 407
CHERRY HILL, NJ 08034
TELEPHONE: (609) 397-9200
FACSIMILE: (856) 667-1456

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In Re:	Chapter 13
Malissa Williams	Case Number: 19-31691-JNP
Debtor(s)	Judge: Jerrold N. Poslusny, Jr.

**OBJECTION OF ROUNDPOINT MORTGAGE SERVICING CORPORATION TO
DEBTOR'S CHAPTER 13 PLAN WITH RESPECT TO REAL PROPERTY LOCATED AT 246
SICKLE LANE, DEPTFORD, NJ 08096**

RoundPoint Mortgage Servicing Corporation (hereinafter, "Creditor"), through its Counsel, Stern & Eisenberg, PC, respectfully requests that this Honorable Court deny confirmation of the Chapter 13 Plan filed by Debtor Malissa Williams (hereinafter, "Debtor"). In support thereof, Creditor respectfully represents as follows:

1. On July 31, 2018, Debtor signed a note and mortgage in the principal sum of \$382,936.00, evidencing a loan from Jasnone R.E. Brockington, Horace J. Odom and Malissa L. Williams in the same amount, secured by the real property located at 246 Sickle Lane, Deptford, NJ 08096 (hereinafter, the "Property"), as evidenced by a mortgage recorded with the Clerk of Gloucester County on August 29, 2018 in Book 15546 at Page 80.
2. Creditor is the holder of the note and assignee of the mortgage.
3. Debtor filed a Chapter 13 Bankruptcy Petition on November 18, 2019 and as a result, any State Court proceedings were stayed.
4. Creditor objects to Debtor's proposed Chapter 13 Plan (hereinafter, the "Plan") for the following reasons:
 - a) The Plan is infeasible in that the Plan:
 - i. Is underfunded and does not provide sufficient funds to pay the claims.
 - ii. Does not provide for sufficient funds to Creditor in order to cure the pre-petition arrears due to Creditor in the amount of \$53,635.83, which is the approximate amount subject to the actual amount stated in the final filed

Proof of Claim.

- b) The Plan does not adequately provide for post-petition payments in the monthly amount of \$3,535.96.
- 5. By proposing to pay Creditor as proposed, the Plan violates the standards of 11 USC § 1325(a)(5)(B)(i) and (ii) because it pays Creditor less than the allowed amount of such claim.
- 6. This Objection is made in accordance with the Federal Rules of Bankruptcy Procedure.

WHEREFORE, Creditor, RoundPoint Mortgage Servicing Corporation by and through its Counsel, Stern & Eisenberg, PC, respectfully requests that this Honorable Court deny confirmation of the Chapter 13 Plan and dismiss the Chapter 13 Bankruptcy Petition together with such other relief this Court deems necessary and appropriate.

Respectfully Submitted:

Stern & Eisenberg, PC

By:/s/ WILLIAM E. MILLER, ESQ.

WILLIAM E. MILLER, ESQ.

Stern & Eisenberg, PC

1040 N. Kings Highway, Suite 407

Cherry Hill, NJ 08034

wmiller@sterneisenberg.com

Phone: (609) 397-9200

Fax: (856) 667-1456

Bar Number: 037182010

Counsel for Movant

Date: December 26, 2019